

5152. Adulteration and misbranding of fluid extract for cognac fin-champagne. U. S. * * * v. Antonio Valsecchi. Plea of guilty. Fine, \$5. (F. & D. No. 7471. I. S. No. 17839-k.)

On June 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonio Valsecchi, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 15, 1915, from the State of New York into the State of Utah, of a quantity of an article labeled in part: " * * * Fluid extract for cognac fin-champagne * * *," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume)	1.9
Methyl alcohol (per cent by volume)	61.8
Total solids (grams per 100 cc)	16.8
Nonsugar solids (largely caramel) (grams per 100 cc)	6.9
Total sugars as invert (grams per 100 cc)	9.9
Color: Dark brown, due to caramel.	

Odor indicates small amount of artificial flavoring matter. Product consists essentially of a solution of sugar, caramel, and flavoring material in diluted methyl alcohol.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, methyl alcohol, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, methyl alcohol, which might render it injurious to health.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 13, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*